

CITY PLANNING COMMISSION

June 12, 2007

City Hall – Council Chambers

301 W. 2nd Street

1st Floor

Annotations & Zoning Summaries

CALL TO ORDER – 6:00 P.M.

COMMENCED: 6:10 P.M.

ADJOURNED: 1:00 A.M.

____ Tracy Atkins

____ Jay Reddy – Vice-Chair

____ Perla Cavazos

____ Chris Riley

____ Mandy Dealey - Parliamentarian

____ Gary Stegeman

____ Cid Galindo - Secretary

____ Dave Sullivan - Chair

____ Sandra Kirk

All Present

CONDUCT OF PUBLIC HEARINGS

1. Chair announces request.
2. Staff presents a summary of the case.
3. Chair calls on those FAVORING the request.
4. Applicant's presentation (5 minutes).
5. Up to three speakers favoring the request (3 minutes); additional speakers (1 minute).
6. Chair calls on those OPPOSING the request.
7. Primary presentation (5 minutes).
8. Up to three speakers opposing the request (3 minutes); additional speakers (1 minute).
9. Applicant is given opportunity to answer objections stated. (3 minutes)
10. Staff summation and questions from the Commission.
11. The public hearing on a zoning case may be closed and no further testimony is taken from the public.
12. If the public hearing is closed, the Commission shall make a recommendation to the City Council within 14 days or the case will be forwarded to the City Council without a recommendation. (Section [25-2-282](#)).

All of the following items may be acted upon by one motion. The Commission does not consider items earlier than the time stated on the agenda; "Other Business" items can be taken at any time. After the posted time, the Commission Chairperson may announce the item and, if there is no opposition, the item may be taken "by consent" for approval without discussion.

CITIZENS WISHING TO SPEAK BEFORE THE COMMISSION OR CITIZENS THAT ARE UNABLE TO SPEAK BUT WOULD LIKE TO MAKE THE COMMISSION AWARE OF THEIR POSITION ARE REQUESTED to REGISTER BY SIGNING A CARD AT THE ENTRANCE.

Any interested party aggrieved by a decision of the Planning Commission on a Hill Country Site Plan, Conditional Use Permit, Replacement Site Plan, or a Preliminary Subdivision Plan with an environmental variance may only appeal the Commission's decision to the City Council. The notice of appeal must be submitted in writing on a form provided by the Director of Neighborhood Planning & Zoning Department within fourteen (14) days following the decision of the Planning Commission.

The Commission may recommend additional future land use designations that have not been requested or future land use designations that are more or less intensive than the requested future land use. The

Facilitator: Amy Link, 974-2628
City Attorney: Gordon Bowman, 974-2346

Commission may also recommend zoning that includes combining districts such as mixed use, conditional overlays, or other combining districts.

AGENDA POSTING & POSTPONEMENT POLICIES

AGENDA POSTING POLICY

Normally when placing an item on a future agenda, commissioners should inform the chair prior to a meeting and announce the item under Items from Commission at the end of the agenda.

If the topic is of a sensitive nature or may be considered outside the scope of the Commission's charge, then the chair may request that it be presented to the Executive Committee for consideration prior to being placed on the agenda.

- An item that arises during the conduct of a meeting may be announced during the pertinent discussion or at the end of the meeting.
- If no objection is raised to the posting of an item, a vote and a second on the posting will not be required.
- If a disagreement arises on the posting of an item, the Commission will act upon the posting by a motion and vote.

POSTPONEMENT POLICY

General Policy: Anyone may request a postponement of a public hearing by following the instructions provided below. Individual commissioners may request postponements to be voted on by the full Commission. Note that requests for postponements of Neighborhood Plans or the rezonings that stem from Neighborhood Plans are strongly discouraged, and will not be granted except in extraordinary circumstances. Examples may include a significant defect in the planning process (e.g. lack of notification) or the availability of relevant and significant information that was not available during the planning process (e.g. the development of the Airport Overlay Zone around Austin-Bergstrom International Airport).

To Request a Postponement:

1. **Write a letter to the case manager** (case manager's name is provided in the agenda item under "City Staff") that includes 1) the date/time the letter was delivered to city staff, 2) the reason for requesting postponement, 3) requested postponement date.
2. **Ensure that the case manager or the Planning Commission Coordinator receives your letter by the beginning of the Planning Commission meeting.** Do not send requests for postponement directly to the Planning Commission. Letters to the Planning Commission Coordinator may be mailed or faxed to the address/number given below, or hand delivered to 505 Barton Springs Road, 5th floor.
3. **Attend the Commission meeting in case the request for postponement is discussed.**

CORRESPONDENCE WITH THE PLANNING COMMISSION

E-mail: E-mail addresses for individual Commissioner's are available on the last page of this agenda.

Mail: Neighborhood Planning & Zoning Department
Attn: Planning Commission Coordinator
P.O. Box 1088, Austin TX, 78767

Fax: Fax: (512) 974-6054
Attn: Planning Commission Coordinator

MORE INFORMATION

Planning Commission Web Page: www.cityofaustin.org/smartgrowth/pc.htm

COA Development Web: www.cityofaustin.org/development/

Facilitator: Amy Link, 974-2628

City Attorney: Gordon Bowman, 974-2346

6:00 P.M.

PUBLIC HEARING

A. REGULAR AGENDA

EXECUTIVE SESSION (No public discussion)

The Planning Commission will announce it will go into Executive Session, if necessary, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel on matters specifically listed on this agenda. The Planning Commission may also announce it will go into Executive Session, if necessary, to receive advice from Legal Counsel regarding any other item on this agenda.

Private Consultation with Attorney – Section 551.071

CITIZEN COMMUNICATION:

1. The first four (4) speakers signed up to speak will each be allowed a three-minute allotment to address their concerns regarding items *not* posted on the agenda.

NO SPEAKERS.

APPROVAL OF MINUTES

2. Approval of minutes from May 22, 2007.

APPROVED MINUTES FOR 05/22/07; BY CONSENT.

[J.REDDY, T.ATKINS 2ND] (9-0)

EXECUTIVE SESSION (No public discussion)

The Planning Commission will announce it will go into Executive Session, if necessary, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel an Appeal by Trudy’s Texas Star, Inc. The Planning Commission may also announce it will go into Executive Session, if necessary, to receive advice from Legal Counsel regarding any other item on this agenda.

Private Consultation with Attorney – Section 551.071

- | | |
|-------------------|--|
| 3. Appeal: | EXECUTIVE SESSION ONLY (No public discussion) |
| Request: | Conduct a public hearing to consider an appeal by Trudy's Texas Star, Inc. of the decision by the Director of Solid Waste Services to affirm a stop work order for property located at 1600 S. Congress Avenue, Austin, Texas (South Congress Café). |

COMMISSIONERS WENT INTO EXECUTIVE SESSION WITH CITY ATTORNEY.

APPEAL (Action)

4. Appeal:

Request: Conduct a public hearing to consider an appeal by Trudy's Texas Star, Inc. of the decision by the Director of Solid Waste Services to affirm a stop work order for property located at 1600 S. Congress Avenue, Austin, Texas (South Congress Café).

MOTION MADE TO DENY REQUEST FOR APPEAL AND AFFIRM DIRECTOR'S DECISION.

[J.REDDY, C.RILEY 2ND] (9-0)

CODE AMENDMENT

5. Code C20-07-008 -

Amendment:

Request: Discussion and action regarding a proposed amendment to Chapter 25-2, Subchapter E, Design Standards and Mixed Use, of the City Code regarding Vertical Mixed Use and the Opt-In/Opt-Out process.

Staff Rec.: **Recommended**

Staff: George Adams, 974-2146, george.adams@ci.austin.tx.us
Deborah Thomas, 974-2172, deborah.thomas@ci.austin.tx.us
Neighborhood Planning and Zoning

PULLED DUE TO NOTIFICATION ERROR; NO ACTION REQUIRED.

6. Code C20-07-003 -

Amendment:

Request: Discussion and action regarding proposed amendments to Chapter 25-10, Sign Regulations, and 25.2, Zoning, of the City Code, regarding sign regulations in the University Neighborhood Overlay (UNO) district.

Staff Rec.: **Recommended**

Staff: Mark Walters, 974-7695, mark.walters@ci.austin.tx.us
Humberto Rey, 974-7288, humberto.rey@ci.austin.tx.us
Neighborhood Planning and Zoning

APPROVED STAFF'S RECOMMENDATION; BY CONSENT.

[J.REDDY, T.ATKINS 2ND] (9-0)

- 7. Code Amendment:** **C20-07-002 - Amendment to Design Standards & Mixed Use Subchapter**
 Location: Cameron Road (from 51st Street to Hwy 290), 51st Street (from Cameron Road to Manor Road), Briarcliff (from Berkman Drive to Westminster), & Gaston Place (from Westminster to Wellington), Tannehill, Little Walnut, and Fort Branch Creeks Watershed, Windsor Park NPA
 Owner/Applicant: City of Austin (Neighborhood Planning and Zoning)
 Agent: City of Austin (Neighborhood Planning and Zoning)
 Request: Amend Article 5 and Figure 1 of Subchapter E of the Land Development Code to add Cameron Road (from 51st Street to Hwy 290), 51st Street (from Cameron Road to Manor Road), Briarcliff (from Berkman Drive to Westminister), & Gaston Place (from Westminister to Wellington) to the list of Core Transit Corridors
 Staff Rec.: **Recommended**
 Staff: Adrienne Domas, 974-6355, adrienne.domas@ci.austin.tx.us
 Robert Heil, 974-6355, adrienne.domas@ci.austin.tx.us
 Neighborhood Planning & Zoning Department

MOTION MADE TO RECOMMEND APPROVAL OF AN AMENDMENT TO ARTICLE 5 AND FIGURE 1 OF SUBCHAPTER E OF THE LAND DEVELOPMENT CODE; TO ADD CAMERON ROAD (FROM 51ST STREET TO HWY. 290), 51ST STREET (FROM CAMERON ROAD TO MANOR ROAD); TO THE LIST OF THE CORE TRANSIT CORRIDORS.

**** BRIARCLIFF/GASTON PLACE WILL BE DISCUSSED ON JUNE 26, 2007. [J.REDDY, M.DEALEY 2ND] (9-0)***

NEIGHBORHOOD PLAN AMENDMENTS

- 8. Neighborhood Plan:** **NP-07-00023 - Windsor Park - University Hills Combined Neighborhood Plan**
 Location: Bounded by IH-35 on the west, HWY 290 and Hwy 183 on the north, Hwy 183 on the east and East 51st Street and Manor Road on the south, Tannehill, Little Walnut, and Fort Branch Creeks Watershed, Windsor Park and University Hills NPA
 Owner/Applicant: City of Austin (Neighborhood Planning and Zoning)
 Agent: City of Austin (Neighborhood Planning and Zoning)
 Request: Approve the Windsor Park - University Hills combined neighborhood Plan
 Staff Rec.: **Recommended**
 Staff: Adrienne Domas, 974-6355, adrienne.domas@ci.austin.tx.us
 Robert Heil, 974-2330, robert.heil@ci.austin.tx.us
 Neighborhood Planning & Zoning Department

MOTION MADE TO RECOMMEND APPROVAL OF THE UNIVERSITY HILLS/WINDSOR PARK COMBINED NEIGHBORHOOD PLAN AND THE FUTURE LAND USE MAP, WITH THE EXCEPTION OF TRACTS 202, 210, 211, 213, 215, 218, 220, 221, & 222 IN THE UNIVERSITY HILLS PLANNING AREA; AND THE SECTIONS OF

Facilitator: Amy Link, 974-2628
 City Attorney: Gordon Bowman, 974-2346

***THE PLAN PROPOSED FOR REVISION BY THE UHNA; AND TRACTS 2, 3, 4, 6, 8, 9, 11, 15, 16, 17, 19, 20, 21, 23, 26, 28, 29, 30, 32-55, 57, 60, 61, 63, 64, 66, 67, 69-76, 79, 80, 81, 83-89, 91-97 IN THE WINDSOR PARK NEIGHBORHOOD PLANNING AREA.
[J.REDDY, C.GALINDO 2ND] (9-0)***

Related Zoning Cases

- 9. Rezoning:** **C14-2007-0007 - Windsor Park Neighborhood Plan Rezoning**
 Location: Bounded by IH-35 on the west, HWY 290 and Hwy 183 on the north, Northeast Dr on the east and East 51st Street and Manor Road on the south, Tannehill, Little Walnut, and Fort Branch Creeks Watershed, Windsor Park NPA
 Owner/Applicant: City of Austin (Neighborhood Planning and Zoning)
 Agent: City of Austin (Neighborhood Planning and Zoning)
 Request: Approve rezonings associated with the neighborhood plan
 Staff Rec.: **Recommended**
 Staff: Robert Heil, 974-2330, robert.heil@ci.austin.tx.us
 Adrienne Domas, 974-6355, adrienne.domas@ci.austin.tx.us
 Neighborhood Planning & Zoning Department

MOTION MADE TO RECOMMEND APPROVAL OF THE REZONINGS AS RECOMMENDED BY STAFF AND THE UHWP ZONING COMMITTEE FOR THE UNIVERSITY HILLS NEIGHBORHOOD, EXCEPT FOR THE INFILL OPTIONS, DESIGN TOOLS, AND THE FOLLOWING TRACTS: 202, 210, 211, 213, 215, 218, 220, 221, 222.

**** THE CONTESTED TRACTS, INFILL OPTIONS, AND DESIGN TOOLS WILL BE DISCUSSED ON JUNE 26, 2007.***

[S.KIRK, T.ATKINS 2ND] (9-0)

- 10. Rezoning:** **C14-2007-0006 - University Hills Neighborhood Plan Rezoning**
 Location: Northwest Drive on the west, HWY 290 and Hwy 183 on the north, Hwy 183 on the east, and East 51st Street on the south, Tannehill, Little Walnut, and Fort Branch Creeks Watershed, University Hills NPA
 Owner/Applicant: City of Austin (Neighborhood Planning and Zoning)
 Agent: City of Austin (Neighborhood Planning and Zoning)
 Request: Approve rezonings associated with the neighborhood plan
 Staff Rec.: **Recommended**
 Staff: Robert Heil, 974-2330, robert.heil@ci.austin.tx.us
 Adrienne Domas, 974-6355, adrienne.domas@ci.austin.tx.us
 Neighborhood Planning & Zoning Department

MOTION MADE TO RECOMMEND APPROVAL OF THE REZONINGS AS RECOMMENDED BY STAFF AND THE UHWP ZONING COMMITTEE FOR THE WINDSOR PARK NEIGHBORHOOD, EXCEPT FOR THE INFILL OPTIONS, DESIGN

TOOLS, AND THE FOLLOWING TRACTS: 2, 3, 4, 6, 8, 9, 11, 15, 16, 17, 19, 20, 21, 23, 26, 28, 29, 30, 32-55, 57, 60, 61, 63, 64, 66, 67, 69-76, 79, 80, 81, 83-89, 91-97.

*** THE CONTESTED TRACTS, INFILL OPTIONS, AND DESIGN TOOLS WILL BE DISCUSSED ON JUNE 26, 2007.**

[T.ATKINS, S.KIRK 2ND] (9-0)

DISCUSSION AND ACTION ON ZONING CASES

11. Rezoning: C14H-07-0035 - Brogan House
 Location: 3018 West Avenue, Shoal Creek Watershed, West University NPA
 Owner/Applicant: Stephen and Lindsey Crow
 Request: SF-3-CO-NP to SF-3-H-CO-NP
 Staff Rec.: **Recommended**
 Staff: Steve Sadowsky, 974-6454, steve.sadowsky@ci.austin.tx.us
 Neighborhood Planning and Zoning

APPROVED STAFF'S RECOMMENDATION FOR SF-3-H-CO-NP ZONING; BY CONSENT.

[J.REDDY, T.ATKINS 2ND] (9-0)

12. Rezoning: C14-2007-0053 - Mean-Eyed Cat
 Location: 1621 West 5th Street, Town Lake Watershed, Old West Austin NPA
 Owner/Applicant: J17 Fortune, LP (Peggy Jean & Randolph George Mueller)
 Agent: Mike Blizzard
 Request: LI-PDA-NP to LI-PDA-NP, to change conditions of the PDA
 Staff Rec.: **Recommended**
 Staff: Tina Bui, 974-2755, tina.bui@ci.austin.tx.us
 Neighborhood Planning and Zoning

APPROVED STAFF'S RECOMMENDATION FOR LI-PDA-NP ZONING.

[J.REDDY, C.GALINDO 2ND] (9-0)

- 13. Rezoning: C14-2007-0057 - Pressler**
 Location: 1304-1316 West 5th Street and 507 Pressler Street, Town Lake Watershed, Old West Austin NPA
 Owner/Applicant: 507 Pressler Ltd. (Peter Lamy)
 Agent: Drenner & Golden Stuart Wolff, LLP. (Michele Rogerson)
 Request: CS-MU-CO-NP to CS-MU-CO-NP; The nature of this request is to consider applying early opt-in determination for Vertical Mixed Use (VMU) to the subject site and to allow implementation of VMU options.
 Staff Rec.: **Recommended**
 Staff: Jorge E. Rousselin, 974-2975, jorge.rousselin@ci.austin.tx.us
 Neighborhood Planning & Zoning Department

APPROVED STAFF'S RECOMMENDATION FOR CS-MU-CO-NP ZONING; BY CONSENT.
[J.REDDY, T.ATKINS 2ND] (9-0)

- 14. Rezoning: C14-2007-0070 - Rathgeber Village, Phase One (Part Two)**
 Location: Portion of 4800 Manor Road, Tannehill Branch Watershed, N/A NPA
 Owner/Applicant: Catellus Austin Land, LP (Gregory J. Weaver)
 Agent: Alice Glasco Consulting (Alice Glasco)
 Request: PUD to GO-MU
 Staff Rec.: **Recommended**
 Staff: Tina Bui, 974-2755, tina.bui@ci.austin.tx.us
 Neighborhood Planning and Zoning

APPROVED STAFF'S RECOMMENDATION FOR GO-MU ZONING; BY CONSENT.
[J.REDDY, T.ATKINS 2ND] (9-0)

- 15. Rezoning: C14-2007-0058.SH - Kaleidoscope 2**
 Location: 6302 FM 969 Road, Walnut Creek Watershed, MLK-183, part of East MLK Combined NPA
 Owner/Applicant: Ernest Karam
 Agent: Rivera Engineering (Michael Rivera)
 Request: LR-NP to LR-MU-NP
 Staff Rec.: **Recommended**
 Staff: Tina Bui, 974-2755, tina.bui@ci.austin.tx.us
 Neighborhood Planning and Zoning

APPROVED STAFF'S RECOMMENDATION FOR LR-MU-NP ZONING; BY CONSENT.
[J.REDDY, T.ATKINS 2ND] (9-0)

- 16. Rezoning: C14-06-0229 - Encino Trace**
 Location: 5707 Southwest Parkway, Barton Creek Watershed, Oak Hill NPA
 Owner/Applicant: Carl Verne Roe Family Trust (Carl Roe)
 Agent: Drenner & Golden Stuart Wolff, LLP (Michele Rogerson)
 Request: From DR to GO-MU-CO and LO-MU-CO
 Staff Rec.: **Recommended**
 Staff: Robert Heil, 974-2330, robert.heil@ci.austin.tx.us
 Neighborhood Planning & Zoning Department

***APPROVED STAFF'S RECOMMENDATION FOR GO-MU-CO & LO-MU-CO ZONING;
 BY CONSENT.***

[J.REDDY, T.ATKINS 2ND] (9-0)

- 17. Rezoning: C14-07-0008 - Wilson Street**
 Location: 2602 Wilson Street, East Bouldin Creek Watershed, Dawson NPA
 Owner/Applicant: Colbalt Parnters (Mith Ely)
 Agent: Mike McHone Real Estate (Mike McHone)
 Request: From SF-3-NP to MF-3-NP
 Staff Rec.: **Postponed to July 10, 2007 (Neighborhood Plan Amendment
 Required)**
 Staff: Robert Heil, 974-2330, robert.heil@ci.austin.tx.us
 Neighborhood Planning & Zoning Department

POSTPONED TO 06/26/07 (STAFF)

[J.REDDY, T.ATKINS 2ND] (9-0)

- 18. Rezoning: C14-2007-0010 - Rosewood**
 Location: 1310 Rosewood Avenue, Town Lake Watershed, Central East Austin
 NPA
 Owner/Applicant: Michelle Perris-Moscona
 Agent: Michelle Perris-Moscona
 Request: From SF-3-NP to MF-3-NP
 Staff Rec.: **PULLED - No action is necessary.**
 Staff: Robert Heil, 974-2330, robert.heil@ci.austin.tx.us
 Neighborhood Planning & Zoning Department

PULLED; NO ACTION REQUIRED.

19. Rezoning: C14-2007-0031 - Block 1
 Location: 1000 E 5th St, Waller Creek Watershed, East Cesar Chavez NPA
 Owner/Applicant: 6th & Median LTD (Peryy Lorenz)
 Agent: LOC Consultants (Sergio)
 Request: From CS-MU-CO-NP to CS-MU-CO-CURE-NP (opting in to VMU)
 Staff Rec.: **Pending**
 Staff: Robert Heil, 974-2330, robert.heil@ci.austin.tx.us
 Neighborhood Planning & Zoning Department

POSTPONED TO 06/26/07 (STAFF)
[J.REDDY, T.ATKINS 2ND] (9-0)

20. Rezoning: C14-2007-0034 - Harmon
 Location: 4703 Harmon Avenue, Boggy Creek Watershed, North Loop NPA
 Owner/Applicant: Julian Oviedo
 Agent: Realty World (Lucy Montaelvo)
 Request: From SF-3-NP to GO-NP
 Staff Rec.: **Alternative Recommendation LO-MU-CO-NP**
 Staff: Robert Heil, 974-2330, robert.heil@ci.austin.tx.us
 Neighborhood Planning & Zoning Department

APPROVED STAFF'S RECOMMENDATION FOR LO-MU-CO-NP ZONING; BY CONSENT.
[J.REDDY, T.ATKINS 2ND] (9-0)

21. Rezoning: C14-2007-0051 - Pierce Suites
 Location: 2028 W. Ben White Blvd, Williamson Creek Watershed, South Lamar NPA
 Owner/Applicant: Lawrence A. Pierce
 Agent: Frie Planning and Development (Ross Frie)
 Request: From SF-3 to GO-CO
 Staff Rec.: **Recommended**
 Staff: Robert Heil, 974-2330, robert.heil@ci.austin.tx.us
 Neighborhood Planning & Zoning Department

APPROVED LO-MU ZONING.
[J.REDDY, P.CAVAZOS 2ND] (9-0)

- 22. Rezoning: C14-2007-0054 - Ardent VMU**
 Location: 1500 South Lamar Blvd, West Bouldin Creek Watershed, South Lamar NPA
 Owner/Applicant: Ocean Stone LLC, (Robert Peek)
 Agent: Drenner & Golden Stuart Wolff, LLP (Michele Rogerson)
 Request: From GR-MU-CO to GR-MU-CO (opting in to VMU)
 Staff Rec.: **Recommended**
 Staff: Robert Heil, 974-2330, robert.heil@ci.austin.tx.us
 Neighborhood Planning & Zoning Department

APPROVED STAFF’S RECOMMENDATION FOR GR-MU-CO (OPTING INTO VMU) ZONING; BY CONSENT.
[J.REDDY, T.ATKINS 2ND] (9-0)

- 23. Rezoning: C14-2007-0063 - Vinters Cellar of Austin**
 Location: 7010 W SH 71, Williamson Creek Watershed, Oak Hill NPA
 Owner/Applicant: Vinter's Cellar of Austin
 Agent: Jim Bennett
 Request: From GR to CS-1
 Staff Rec.: **Recommended**
 Staff: Robert Heil, 974-2330, robert.heil@ci.austin.tx.us
 Neighborhood Planning & Zoning Department

APPROVED STAFF’S RECOMMENDATION FOR CS-1 ZONING; BY CONSENT.
[J.REDDY, T.ATKINS 2ND] (9-0)

DISCUSSION AND ACTION ON SITE PLAN CASES

- 24. Site Plan- SPC-06-0039A - Esquina Tango Cultural Society of Austin**
Conditional Use
Permit:
 Location: 209 Pedernales, Town Lake Watershed, Holly NPA
 Owner/Applicant: Monica Caivano
 Agent: David Boren Design (David Boren)
 Request: Approval of a Conditional Use Permit for a Club or Lodge Use in SF-3-NP zoning.
 Staff Rec.: **Recommended**
 Staff: Donna Cerkan, 974-2733, donna.cerkan@ci.austin.tx.us
 Watershed Protection and Development Review

APPROVED STAFF’S RECOMMENDATION.
[C.GALINDO, P.CAVAZOS 2ND] (8-0-1) C.RILEY – ABSTAINED

SUMMARY

Monica Caivano, applicant – Clarified to the commission that this was a conditional use permit for a civic use. My property is mapped in the Holly Neighborhood Plan as Civic Use.

Commissioner Sullivan – Do you know what the previous use was in there?

Ms. Caivano – Single family and church use.

Commissioner Sullivan – Was it an entertainment venue also?

Ms. Caivano – No; it was a Civic Use and what I'm applying for is a Civic Use also. The City of Austin has classified my use as a Club or Lodge and Civic Use.

Commissioner Reddy – Is there opposition here tonight?

Commissioner Sullivan – We have an email from the President of a neighborhood association asking for a postponement.

Commissioner Reddy – Okay.

Commissioner Cavazos – This would only apply to the property until it is sold or a change of ownership.

Ms. Cerkan – The use club or lodge is allowed as a conditional use under SF-3; the only concerns from the neighborhood is that they think that “club” means like a bar that serves alcohol. I explained to them that this is like a social organization where people gather as members and that alcohol sales or liquor is not allowed under SF-3 zoning.

Commissioner Dealey – I also heard concerns about the hours of operation; how late will this place be open?

Ms. Caivano – There will be no loud music, it will be Tango; we undated the facility with extra installation; we already have had some music and we have had not had a problem. We will not be serving alcohol. My program endorses good health and will serve the community. We will limit the hours to during the week; we can set times if you wish. We may have some gatherings on the weekends, but not too many. All activities are inside the building.

Commissioner Sullivan – Is there amplified music? This is not a commercial use, so there's no way to have amplified sound in the future.

Ms. Cerkan – The noise permits & ordinances are really concerning outdoor sound; it's about amplified sound that could be heard at the property line.

Commissioner Kirk – However, there are statutes that apply from residents to residents, so actually the sound is not suppose to be audible over your property line.

Ms. Cerkan – It can't be over 74 decipals over the property line.

Commissioner Sullivan – The point is, will this be treated as residential to residential because this is SF-3 zoning? The Conditional Use Permit does not make it a commercial use.

Ms. Cerkan – Yes, that’s correct.

Ms. Caivano – I live on the property, it’s my house; so I do not plan to make loud noise; I will respect the community.

OPPOSITION

No Speakers.

FAVOR

No Speakers.

Commissioner Galindo and Kirk moved to close the public hearing.

Commissioner Galindo – I move to approve staff recommendation.

Commissioner Cavazos – I’ll second.

Commissioner Riley – I will abstain from this; I have some reservations about voting for this tonight. I know that there was a request for postponement and I try to follow that practice in the past in granting that postponement.

Commissioner Sullivan – I understand; however, I feel that there’s been some time between the time of the request and now that some issues have been worked out.

Motion approved. (8-0-1)

25. Site Plan- Conditional Use Permit: SPC-06-0781C - I Am A Promise Daycare

Location:	1404 E 51st St., Tannehill Branch Watershed, Windsor NPA
Owner/Applicant:	George and Patricia Poe
Agent:	Austin Civil Engineering (Hunter Shadburne)
Request:	Approval of a Conditional Use Permit for a Daycare Commercial in SF-3 zoning.
Staff Rec.:	Recommended
Staff:	Donna Cerkan, 974-2733, donna.cerkan@ci.austin.tx.us Watershed Protection and Development Review

***APPROVED STAFF’S RECOMMENDATION; BY CONSENT.
[J.REDDY, T.ATKINS 2ND] (9-0)***

26. Site Plan-Conditional Use Permit: SPC-06-0769D - Cesar Chavez 2-Way Conversion From Brazos To San Antonio

Location: Cesar Chavez Row (600 W. Block To 200 E. Block), Town Lake Watershed, Downtown NPA
 Owner/Applicant: City of Austin, Public Works (Rick Colburn)
 Agent: Half Associates (Kenneth Mora)
 Request: Approval of a conditional use permit.
 Staff Rec.: **Recommended**
 Staff: Sue Welch, 974-3294, sue.welch@ci.austin.tx.us
 Watershed Protection and Development Review

***APPROVED STAFF’S RECOMMENDATION; BY CONSENT.
 [J.REDDY, T.ATKINS 2ND] (9-0)***

DISCUSSION AND ACTION ON SUBDIVISION CASES

27. Resubdivision: C8-03-0189.01.1A - Colorado Crossing Phase Two, (Being a Portion of Lot 5A of Resubdivision of Lot 1, Lockheed Addition)

Location: Burluson Raod at McKinney Parkway, Onion Creek Watershed, Southeast Combined NPA
 Owner/Applicant: OBAN Holdings and Kelly Trade Ventures, L.L.C. (Randolph Noster, Kenneth Satterlee)
 Agent: Bury & Partners(Brad Lingvai)
 Request: Approve the resubdivision of a portion of one lot into 6 lots composed of 72.753 acres.
 Staff Rec.: **Recommended**
 Staff: Sylvia Limon, 974-2767, sylvia.limon@ci.austin.tx.us
 Watershed Protection and Development Review

***POSTPONED TO 06/26/07 (APPLICANT)
 [J.REDDY, T.ATKINS 2ND] (9-0)***

28. Resubdivision: C8-07-0038.0A - Resubdivision of Lot B, Amended Texana Addition

Location: 7620 Guadalupe Street, Buttermilk Creek Watershed, Highland NPA
 Owner/Applicant: 7620 Guadalupe, L.P.)
 Agent: Kimley-Horn & Assoc. Inc. (Joseph Willrich)
 Request: Approve the resubdivision of one lot into 2 lots composed of 4.058 acres.
 Staff Rec.: **Recommended**
 Staff: Sylvia Limon, 974-2767, sylvia.limon@ci.austin.tx.us
 Watershed Protection and Development Review

***APPROVED STAFF’S RECOMMENDATION; BY CONSENT.
 [J.REDDY, T.ATKINS 2ND] (9-0)***

- 29. Resubdivision: C8-07-0056.0A - Domain Section 2 Subdivision, Block A, Resubdivision of Lot 2**
 Location: Burnet Road at Gault Road, Walnut Creek Watershed, North Burnet/Gateway NPA
 Owner/Applicant: RREEF Domain, LP (Chad Marsh)
 Agent: Baker-Aicklen & Associates, Inc. (Natalie Bittner)
 Request: Approval of the Domain Section 2 Subdivision, Block A, Resubdivision of Lot 2 composed of 1 lot on 148.62 acres.
 Staff Rec.: **Recommended**
 Staff: David Wahlgren, 974-6455, david.wahlgren@ci.austin.tx.us
 Watershed Protection and Development Review Department

APPROVED STAFF'S RECOMMENDATION; BY CONSENT.
[J.REDDY, T.ATKINS 2ND] (9-0)

DISCUSSION AND ACTION ON STATUTORY DISAPPROVALS

- 30. Final Plat: C8-2007-0097.0A - J-Square Subdivision**
 Location: 2510 Harford Road, Johnson Creek Watershed, Windsor NPA
 Owner/Applicant: (Kevin J. Jorensen)
 Agent: Ats Engineering (Andrew Evans)
 Request: Approval of the J-Square Subdivision composed of 2 lots on .42 acres.
 Staff Rec.: **DISAPPROVAL**
 Staff: Watershed Protection & Development Review Department
- 31. Resubdivision: C8-2007-0106.0A - The Domain Shopping Center Section 2; Resubdivision**
 Location: MoPac Expressway at Gault, Walnut Creek and Shoal Creek Watershed, North Burnet NPA
 Owner/Applicant: The Domain Shopping Center, L.P. (Joe Stallsmith), Multeck Community Center, L.P. (Joe Stallsmith), Domain PT I Multifamily Associates L.P. A Delaware L.P. (Pamela C. Beam)
 Agent: Baker-Aicklen & Associates, Inc. (Natalie Bittner)
 Request: Approval of the Domain Shopping Center Section 2; Resubdivision composed of 3 lots on 53.16 acres.
 Staff Rec.: **Disapproval**
 Staff: Watershed Protection and Development Review Department

- 32. Resubdivision: C8-2007-0105.0A - The Domain Shopping Center Section 3; Resub of a portion lot 3, block A Domain Section 2 Subdivision**
 Location: MoPac Expressway at Gault, Walnut Creek and Shoal Creek Watershed, North Burnet NPA
 Owner/Applicant: The Domain Shopping Center, L.P. (Joe Stallsmith)
 Agent: Baker-Aicklen & Associates, Inc. (Natalie Bittner)
 Request: Approval of the Domain Shopping Center Section 3; Resub of a portion lot 3, block A Domain Section 2 Subdivision composed of 1 lots on 3.13 acres.
 Staff Rec.: **Disapproval**
 Staff: Watershed Protection and Development Review Department
- 33. Final Plat: C8J-83-091.2A - Granada Oaks Subdivision**
 Location: 9305 Vera Cruz, Slaughter Creek (In Barton Springs Zone) Watershed, West Oak Hill NPA
 Owner/Applicant: Texas E. & M Development (Buster McCall)
 Agent: Clark, Thomas & Winters (John Joseph)
 Request: Approval of the Granada Oaks Subdivision composed of 49 lots on 68.376 acres.
 Staff Rec.: **DISAPPROVAL**
 Staff: Watershed Protection and Development Review Department
- 34. Final Plat: C8-2007-0101.0A - Airport Commerce Park, Resub of Section 1 & 2**
 Location: 1340 Airport Commerce Dr, Carson Creek Watershed
 Owner/Applicant: Sfsv Hill Airport Commerce Limited Partn (Leisha Ehlert)
 Agent: Hanrahan Pritchard Eng Inc (Ron Pritchard)
 Request: Approval of the Airport Commerce Park, Resub of Section 1 & 2 composed of 6 lots on 37.937 acres.
 Staff Rec.: **DISAPPROVAL**
 Staff: Watershed Protection and Development Review Department
- 35. Final Plat: C8-2007-0107.0A - Domain Shopping Center Sec 1; The (Resub of lots 1 & 2 Blk A Multek Subd)**
 Location: 10850 1/2 Domain Dr, Walnut/ Shoal Creek Watershed
 Owner/Applicant: The Domain Shopping Center, LP (Joe Stallsmith)
 Agent: Baker-Aicklen & Associates, Inc. (Natalie Bittner)
 Request: Approval of the Domain Shopping Center Sec 1; The (Resub of Lots 1 & 2 Blk A Multek Subd) composed of 39.84 lots on 39.84 acres.
 Staff Rec.: **DISAPPROVAL**
 Staff: Watershed Protection and Development Review Department

- 36. preliminary Plan: C8-2007-0104 - Villa Court Subdivision**
 Location: 3505 Villa Court, West Bouldin Creek Watershed, Galindo NPA
 Owner/Applicant: (Patricia Matthaei)
 Agent: (A.J. Ghaddar)
 Request: Approval of the Villa Court Subdivision composed of 10 lots on 1.43 acres.
 Staff Rec.: **DISAPPROVAL**
 Staff: Watershed Protection & Development Review Department
- 37. Final Plat: C8-2007-0100.0A - Southpark Office Plaza**
 Location: 5200 Freidrich Lane, Williamson Creek Watershed, Franklin Park NPA
 Owner/Applicant: (Anne Meiteen)
 Agent: Cater & Burgess, Inc. (Will Schnier)
 Request: Approval of the Southpark Office Plaza composed of 1 lots and 3.651 acres.
 Staff Rec.: **DISAPPROVAL**
 Staff: Watershed Protection & Development Review Department

***#30-37; DISAPPROVED BY CONSENT.
 [J.REDDY, T.ATKINS 2ND] (9-0)***

STREET VACATION

- 38. Street Vacation: C10v-07-04 - F#8421-0702**
 Request: Vacation of an un-constructed portion of the 800 block of Odom Street.
 Staff Rec.: **Recommended**
 Staff: Alex Papavasiliou, 974-7191, alex.papavasiliou@ci.austin.tx.us
 Department of Public Works

***APPROVED STAFF'S RECOMMENDATION; BY CONSENT.
 [J.REDDY, T.ATKINS 2ND] (9-0)***

B. OTHER BUSINESS

ITEMS FROM THE COMMISSION

1. Report from the Committee Chairs

***NEIGHBORHOOD PLAN SUBCOMMITTEE MTG – 06/13/07
 CODES & ORDINANCES SUBCOMMITTEE MTG – 06/19/07***

The City of Austin is committed to compliance with the American with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request. Please call Dora Anguiano, Neighborhood Planning & Zoning Department, at 974-2104, for information, text phone users route through Relay Texas at (800) 735-2989.

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Mr. Jay Reddy
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Contact Phone: (512)825-1581

Mr. Chris Riley
1310 San Antonio
Austin 78701
Contact Phone: (512)476-7600

Facilitator: Amy Link, 974-2628
City Attorney: Gordon Bowman, 974-2346

<p>E-mail Address: stegeman@texas.net</p> <p>Ms. Mandy Dealey 1210 W.13th Street Austin, TX. 78703 E-mail Address: amdealey@aol.com</p> <p>Ms. Sandra Kirk 2117 Clifton Street Austin, TX 78704 Contact Phone: (512)447-1058 E-mail Address: Saundra_Kirk@sbcglobal.net</p> <p>Ms. Tracy Atkins 4608 Shoalwood Ave. Austin, TX. 78756 Contact Phone: (512) 297-4493 E-mail Address: tracy.atkins@gmail.com</p>	<p>E-mail Address: chrisriley@rusklaw.com</p> <p>Mr. Cid Galindo 411 Brazos Street, Suite 99 Austin 78701 E-mail Address : cidg@galindogroup.com</p> <p>Mr. David Sullivan 1710 Waterston Ave. Austin, 78703 Contact Phone: (512)476-7872 E-mail Address: sully.jumpnet@sbcglobal.net</p>
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STANDING COMMITTEES

<i>Committee</i>	CIP Meets Quarterly	Codes & Ordinances Meets 3rd Tuesday at 6:00pm	Comprehensive Plan Meets 1st Tuesday at 6:00pm	Neighborhood Planning Meets 2nd Wednesday at 3:30 pm	Executive Meets 1st Wednesday at 8:00 a.m.	Liaison
<i>Committee Members</i>	Riley Sullivan Stegeman Cavazos	Reddy Sullivan Dealey Stegeman Kirk Riley Atkins	Galindo Stegeman Dealey Sullivan Cavazos Kirk Atkins	Galindo Dealey Reddy Riley Kirk	Riley Sullivan Reddy Dealey	Dealey Sullivan
<i>Staff</i>	George Adams 974-2146	Sonya Lopez 974-7694	Paul Frank 974-2378	Mark Walters 974-7695	George Adams 974-2146	